

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF NEW YORK

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In re:

RENEE L. GNIP,

**Case No. 23-11211**  
**Chapter 7**

Debtor.

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PAUL A. LEVINE, Chapter 7 Trustee,

**ADVERSARY PROCEEDING**  
**COMPLAINT**

Plaintiff,

- against -

**Adv. Proc. No.:**

RENEE L. GNIP,

Defendant.  
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Paul A. Levine, Chapter 7 Trustee, as and for his adversary complaint respectfully alleges as follows:

1. Debtor Renee L. Gnip filed her petition for relief under Chapter 7 of the United States Bankruptcy Code in this Court on November 29, 2023.
2. Paul A. Levine is the duly appointed and serving Chapter 7 Trustee.
3. The court has jurisdiction over the case and this adversary proceeding pursuant to 28 U.S.C. §1334(a) and §157(a)(b)(2)(J). This is a core proceeding. Venue is proper pursuant to 28 U.S.C. §1409(a).
4. Upon the commencement of her Chapter 7 case, the Court set January 2, 2024 as the first date for the meeting of creditors.
5. Debtor appeared and provided certain documents required by the Chapter 7 Trustee, but to date and despite numerous requests to her attorney, has failed to provide her tax returns for the Trustee's review.
6. That failure is a violation of 11 U.S.C. §521(e)(2)(A)(i).
7. The time to object to discharge was extended to May 31, 2024.

8. While the time to object to discharge has since expired, to date the debtor has not been discharged.

9. By order entered September 11, 2024, after notice and hearing, the Court ordered the Debtor to provide her 2022 tax returns to the Trustee no later than 30 days following entry of the order. Exhibit "A."

10. By letter dated to September 16, 2024, the order was served on both the Debtor and her attorney. Exhibit "B" (letter and affidavit of service by mail).

11. Debtor failed to comply with the order.

12. As a result, the trustee is entitled to a judgment of this Court pursuant to 11 U.S.C. §727(d)(3) by which, as the case may be, the Court determines to not issue a discharge or to revoke a discharge if one has been issued by the time the Court rules.

**WHEREFORE**, it is respectfully requested that the Court grant the Trustee judgment, as the case may be, declining to issue a discharge or revoking the debtor's discharge and granting such other and further relief as may be deemed just, necessary and proper.

Dated: November 1, 2024

Respectfully submitted,

/s/Paul A. Levine

Paul A. Levine, Esq.

Chapter 7 Trustee

LEMERY GREISLER LLC

677 Broadway - 8<sup>th</sup> Floor

Albany, New York 12207

(518) 433-8800

**EXHIBIT "A"**

So Ordered.

Signed this 11 day of September, 2024.



A handwritten signature in black ink, appearing to read "Re", written over a horizontal line.

Robert E. Littlefield, Jr.  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF NEW YORK

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In re:

RENEE L. GNIP,

Case No. 23-11211  
Chapter 7

Debtor.  
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**ORDER DIRECTING DEBTOR'S COMPLIANCE**  
**WITH CODE §521 AND PROVIDING FOR RULE 2004 RELIEF**

UPON the motion of Paul A. Levine, Chapter 7 Trustee pursuant to 11 U.S.C. §521(e)(2)(i) and under Fed. R. Bankr. Pro. 2004 , for an order directing the Debtor to produce to the Trustee her most recent tax return (the "Motion"), the Motion having been duly and properly served, there being no opposition to the Motion and on the record herein, it is hereby

ORDERED that the Motion is granted and the Debtor shall promptly provide her 2022 tax returns to the Trustee not later than 30 days following entry of this order.

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**EXHIBIT "B"**

# Lemery Greisler LLC

Attorneys at Law

Paul A. Levine, Member

[plevine@lemerygreisler.com](mailto:plevine@lemerygreisler.com)  
(518) 433-8800 ext. 313

September 16, 2024

Renee L. Gnip  
315 Stone Church Road - Lot 7  
Ballston Spa, New York 12020

Brandi Burns, Esq.  
1 East High Street  
Ballston Spa, New York 12020

**Re: Renee L. Gnip**  
**Case No. 23-11211/Chapter 7**

Dear Ms. Gnip and Ms. Burns:

Enclosed for service upon you is the Order Directing Debtor's Compliance with Code §521 and Providing for Rule 2004 Relief signed by the Hon. Robert E. Littlefield, Jr. dated September 11, 2024.

Ms. Gnip, pursuant to the Bankruptcy Court Order, please provide your tax returns not later than thirty (30) days following entry of the Order.

Thank you for your attention.

Very truly yours,

LEMERY GREISLER LLC

  
Paul A. Levine

PAL:ph  
Enclosure

677 Broadway, 8<sup>th</sup> Floor  
Albany, NY 12207  
518.433.8800

[www.LemeryGreisler.com](http://www.LemeryGreisler.com)

So Ordered.

Signed this 11 day of September, 2024.



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Robert E. Littlefield, Jr.

United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF NEW YORK

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In re:

RENEE L. GNIP,

Case No. 23-11211  
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UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF NEW YORK

In re:

RENEE L. GNIP,

Debtor.

Chapter 7  
Case No. 23-11211

AFFIDAVIT OF SERVICE

STATE OF NEW YORK :  
: ss.:  
COUNTY OF ALBANY :

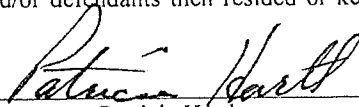
PATRICIA HARTL, being duly sworn, deposes and says:

That she is over the age of 18 years; that she resides in Delmar, New York; that she is employed by Lemery Greisler LLC; that she served the **Order Directing Debtor's compliance With Code §521 and Providing for Rule 2004 Relief** upon the following parties:

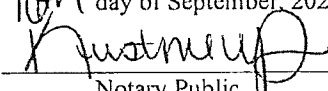
Renee L. Gnip  
315 Stone Church Road - Lot 7  
Ballston Spa, New York 12020

Brandi Burns, Esq.  
1 East High Street  
Ballston Spa, New York 12020

by mail, on **September 16, 2024**, by depositing a true and correct copy of the same properly enclosed in a post-paid wrapper in the Official Depository maintained and exclusively controlled by the United States Postal Service at 677 Broadway, Albany, New York 12207, directed to said attorneys and/or defendants, respectively, at said addresses, respectively mentioned herein, that being the addresses within the state designated by them for that purpose upon the last papers served in this action or the place where said attorneys and/or defendants then resided or kept offices, according to the best information which can be conveniently obtained.

  
Patricia Hartl

Sworn to before me this  
16<sup>th</sup> day of September, 2024.

  
Notary Public

**Kristine M. Sousis**  
**Notary Public, State of New York**  
No. 01SO6312840  
Qualified in Albany County  
Commission Expires: October 6, 2026